



UNITED STATES PATENT AND TRADEMARK OFFICE

Under Secretary of Commerce for Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

Paper No. 3

HICKMAN PALERMO TRUONG & BECKER LLP  
1600 WILLOW STREET  
SAN JOSE, CA 95215-5106

**COPY MAILED**

**DEC 03 2001**

**OFFICE OF PETITIONS**

In re Application of	:
Andrew Witkowski et al	: DECISION DISMISSING PETITION
Application No. 09/886,839	: UNDER 37 CFR 1.182
Filed: June 20, 2001	:
Attorney Docket No. 50277-1546	:

This is a decision on the petition under 37 CFR 1.182 filed on October 11, 2001, requesting acceptance of an unintentionally delayed notice of the filing of a corresponding PCT application under 35 USC 122(b)(2)(B)(iii).

The petition is dismissed for the reasons stated below.

A petition under 37 CFR 1.182 is directed to those situations not specifically provided for in the regulations. Since acceptance of an unintentionally delayed notice of the filing of an application in a foreign country or under a multinational treaty that requires publication of applications 18 months after filing under 35 USC 122(b)(2)(B)(iii) is provided for, if at all, in 37 CFR 1.137(f), the petition under 37 CFR 1.182 filed on October 11, 2001 is dismissed as inappropriate. In view thereof, no decision on the merits of the petition will be given until an appropriate petition under 37 CFR 1.137(f), accompanied by the requisite petition fee set forth in 37 CFR 1.17(m), is filed.

The request to rescind the previous nonpublication request has been processed. A corrected filing receipt indicating the projected date of publication accompanies this decision.

This application is being forwarded to Technology Center AU 2184 for examination in due course.

Inquiries concerning this matter may be directed to the undersigned at (703) 305-8680.



Frances Hicks

Petitions Examiner

Office of Petitions

Office of the Deputy Commissioner  
for Patent Examination Policy

ATTACHMENT: Corrected Filing Receipt

Conferree: Joni Chang

---